



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
Thomas Zdeblick et al.)	Before the Examiner
Serial No. 08/411,017)	
Filed March 27, 1995)	Group Art Unit
INTERBODY FUSION DEVICE AND)	April 25, 1995
METHOD FOR RESTORATION OF)	
NORMAL SPINAL ANATOMY)	

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION, FILING DATE GRANTED

Hon. Assistant Secretary and
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

In response to the Notice to file Missing Parts of Application, Filing Date Granted dated April 20, 1995, Applicant hereby submits the signed Oath and Declaration, a copy of the Notice to File Missing Parts of Application and the fee of \$130.00 for a large entity associated therewith. Additionally, please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C.
20231 on April 25, 1995

(Date of Deposit)

Michael D. Beck
Name of applicant, assignee, or

Registered Representative

Michael D. Beck
Signature

April 25, 1995
Date of Signature

Respectfully submitted,

By

Michael D. Beck

Michael D. Beck

Reg. No. 32,722

Woodard, Emhardt, Naughton

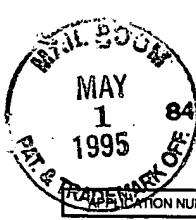
Moriarty & McNett

Bank One Center Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456



130-105 A/K 0300 4/21/95
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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08/411,017 03/27/95 ZDEBLICK

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0222/0420

JOSEPH A NAUGHTON JR
BANK ONE CENTER/TOWER
SUITE 3700
INDIANAPOLIS IN 46204

DATE MAILED: 0000

**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

04/20/95

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for large entities or \$ 65 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☒ large entity, ☐ small entity (verified statement filed), is \$ 130.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$ _____ to complete the basic filing fee.
2. ☐ Additional claim fees of \$ _____ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. ☐ The oath or declaration:
☐ is missing.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.
4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. ☒ The signature(s) to the oath or declaration is/are: ☒ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:
_____. An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.
8. ☐ A \$ _____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because your check was returned without payment.
10. ☐ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
11. ☐ Other. 05/07/95 08411017 1 105 130.00 DK

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.

RESPONSE